P.F. 8 of 911

G. R. S. IX-5]

Previous references. 1894-95

~~192~~

(L. R.)

File No. 128 of 94

Serial Nos. 1—5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—5

Major ~~Part B~~ for April 1895

SUBJECT.

Appeal of Jamiatrama Rayaring to Amin of maintenance amount and to the Sheristhagi office of certain villages in Kanigal Taluk

---

WD 2283—GPB—20,000—11-6-20

Commissioned
Mysore

Proceedings of the Chief Commissioner of Mysore, Department of Revenue, Agriculture and Commerce, 5th February 1878

Read:-

Letter No 1063-21 dated 22nd December 1877 from the Commissioner of the Nagar Division submitting the original order to be passed by the Deputy Commissioner of Shimoga in a Patéli case of Chikjamboor village, Tarikere Taluk, and soliciting instructions on the points raised by Colonel Pratt as to whether his orders in the above case declaring that women cannot inherit right to Patéli offices, should stand good, or whether he should be guided by the orders contained in the Chief Commissioner's Proceedings No 10772-8 of 25th January 1877, which allow a woman to perform the duties of Shanbhog & by a Peon

and

No 9602-52 dated Bangalore 5th February 1878

Order thereon — On a reconsideration of the orders passed in this Office Proceedings No 10772-8, dated 25th January 1877, the Chief Commissioner observes that it seems inadvisable to recognise "Women's Rights" in Government appointments, the emoluments of which are given for the discharge of certain public duties by a man, and that in the interests of the

public service, the appointments of the class referred to must be ——— held to vest in the next male heir provided he is qualified to undertake the duties; the childless widow of the deceased Office-holder will however be held to be entitled to maintenance from the next male heir of her deceased husband

(Sd) R.A. Cole
Offg Secretary

To
The Commissioners
of Drugs, returning
the enclosure together
with Govt. Orders
Commrs of Excise, Customs
Division
Bangalore Dn

mll.

Cop

See Pr. No 65-9-67 (Genl) dated 8 May 1883
11

Offg 29/4

3

Bureau de la Censure

dated 5 April 1883.

de Monsieur Leonard Lieutenant

de la 1re Légion des Chasseurs

No 1022 dated 5 Feb

52

1878, the official Censor

for Legitimist in the name

of Ferdinand Duke of Genoa

Regent that Grand Officer

has been leaving with

a Case, this Journal

he should pay the Costs

Lawsuit Commercial

of the Officers for whom

Journals Journals

taken from them. he should

be informed that his

Journals from official

Journals Journals

the Journal of the Journals

Journals Journals

Translation

Pet 859

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 6457/12
dated 27 Augt. 1894 received at the
Dewan's Office from Janamma of
Tumkur appealing against
the Dy. Commissioner's
disregard of her claim for arrears of mai
to the
Thambori & Kichwadi
Madjonahally & Lakshmi
Tumkoor Kunigal Taluk
is forwarded, together with its
enclosures, to the Dy: Commr
Tumkur District for
submission of the entire
proceedings connected
with the case.

2. The petitions with the
enclosures should be
returned.

By Order,

Draft

Chief Secretary.

BANGALORE,
29-11-1894
4/12

S.V.R 28/11 28/11

M.G.C.P.Bangalore.—3-5-94.—1,000.

J Gadag

5

Le Preneur sera obligé
de se servir de la Grue de
l'Entrepreneur, et des ouvriers
employés à son service.
Il sera fait sur les lieux
par l'Entrepreneur un
Inventaire à frais communs
et le Preneur sera
responsable de toute détérioration
ou perte, sauf de celle
résultant d'une force majeure
dûment constatée par
un Expert.

(s) Illegible

Juncture Circuit
Court Office. Dec. 8. 1883.

4

Jamaica ss. I do
hereby certify that the
above and foregoing
is a true copy of Recognizance
Indictment and Exhibits
in the Case of Rex
against Peter Lee
and the same has been
duly filed in my
office on the 5th day
of December instant.
I hereby further certify that
the Recognizance above mentioned
was duly executed by the
said Peter Lee and
Thomas Lee
and that I should
execute a Writ of Capias
upon the said Recognizance
in the event of the
said Peter Lee
not appearing at the
Court to be holden
for the County of Jamaica
on the Second Monday
in January next.
In Witness whereof I have
hereunto set my hand
and affixed the Seal
of the Juncture Circuit
Court Office
this 8th day
of December
1883.

Jamaica ss. I do
hereby certify that the
above and foregoing
is a true copy of Recognizance
Indictment and Exhibits
in the Case of Rex
against Peter Lee
and the same has been
duly filed in my
office on the 5th day
of December instant.
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execute a Writ of Capias
upon the said Recognizance
in the event of the
said Peter Lee
not appearing at the
Court to be holden
for the County of Jamaica
on the Second Monday
in January next.
In Witness whereof I have
hereunto set my hand
and affixed the Seal
of the Juncture Circuit
Court Office
this 8th day
of December
1883.

Gen. Seri

1894

No. 645

Name of Petitioner. Appellant, Himself, Thimmappa

Village.

Taluk. Bangalore

District

Date of Arzi. 27-8-94

Date of Receipt. 27-8-94

Date of Disposal.

No. of Enclosures. one

ABSTRACT.

Appeal against the order, dated 5-7-94, of the Deputy Commissioner of Tumkur District.

The order appealed against contains in the Annual Statement is unfounded

On your petitioner paying Rs. 2-12-0 the amount may be received from Venkatarayappa, Registered Shanbhog of Kichmandi & other villages & paid to you the whole records may be sent to the District for orders. And in case you do not, then on 5-7-94, it received from the District to the effect that the Registered holding the Inam that the petitioner asks for a certificate from the Inamdar, & that this is a suit fitted to be decided in a Consistent Court.

Says that the Reasonable Requirements
may be ascertained by the amount Rs 153/
arrears of the half emoluments of the office
due to the petitioner for the last 13 years &
that the petitioner's claim is resisted to
the office of Accountant as the Defendant
has failed to adduce any evidence
to which heirs appointed to Accountant

2918.

lifetime of the petitioner he should pay annually half the emolaments of his office, in default, to give up the Hak to the petitioner.

That since then, from 1883 to 84 so long as Gundappa was alive and from 1884 up to date Gundappa's adopted son Venkatraya who is doing duties of Shanbhogne, has not paid anything to your Honor's petitioner.

That the petitioner several times applied to the Deputy-Commissioner to issue execution to realise the amount due to the petitioner, but they brought no reply. On the last application which was made on 25th June the Deputy-Commissioner has made an order that the petitioner should take legal steps to recover her arrears in proper Court.

The petitioner prays that your Honor may be pleased to order the Respondent, Venkatraya, to pay the amount Rs 153 arrears of the half emolaments of the office due

9

Gen. Serial No. 31.]

1894 7440

8-

Pet 340

L.R. 128 94-3

From The Deputy Commissioner
Sunderbar District

To The Chief Secretary to the
Government of Bombay

Dated 6th December, 1894

Despatched 7th —do—

Received

Enclosures No. 2 files

General No. 499
No.

His offl. memo. No Pet
859
of the 29th November, 1894.

—a—

Submitting the cr.
entire proceedings cr.
connected with the claim
of Jananna of Junkur
to the arrears of maintenance
and to the Khanbogue office
of certain villages in the
Kurnigal Taluk

Pet 94

45

COURT FEE STAMPS

10-11-94

EIGHT ANNAS

15

కంసుగల్ కాలప్పగం అనువాలోదాస్ వర 31-3-83 నాటి దరఖాస్తు
784 నెంబరు గలవాడు దాఖలు చేసిన పత్రానికి జవాబు మాంబళం —

వ్యక్తిత్వాలు కింద వివరించిన మాండలిక్ కోర్టు గారి జిల్లా వండిచేరి అనువాళ్ళ
రండి గనుంచి ఇందులో వివరాలు కోరుతూ వ్రాసిన - లెటర్
లకు కోర్టు వారు పంపిన రిపోర్టు వారి వద్ద నుంచి 78 నెంబరు దరఖాస్తు
వారి వద్ద నుంచి - కోర్టు వారు ఇచ్చిన 9622-52 నెంబరు ఉత్తర్వు ప్రకారం
మాంగళం నాయర్ గారి అడ్వకేట్ల వద్దకు వెళ్ళి అవ
ళ్ళ పాలు పుచ్చుకోవడానికి వీలుగా రిపోర్టులు రాయించి ఉన్నాం —

గుండెల్ని ఉంచి - గోవిందన్ వాళ్ళ నేందు వళ్ళి
రిసీవ్ చేసుకుని వచ్చి - అందరిం ద - అవసరమైన జాగ్రత్తలు
తీసుకోవలసిందిగా అవసరమైన అన్ని మాండలిక్ కోర్టు
వారి వద్ద నుంచి - వివరాలు కోరుతూ లెటర్లు వ్రాయించి పంపడం జరిగింది
వచ్చింది - ప్రేమ వాసి వచ్చి - ఫోటోలు తీసుకోవడం జరిగింది
గుండె దడ తగ్గించుకోవడానికి మందులు తీసుకోవలసిందిగా
చూసి గుర్తించి రిపోర్టు పంపడం జరిగింది — మిగతా వివరాలు
సాక్ష్యం - నాటికి తెలియజేయడం జరుగుతుంది — పిటీషన్ 784/83 నెంబరుది —

(Signed) A. H. Macentire

Copy applied for 10/11/94.
Copy ready 10/11/94
Copy delivered. 10/11/94
No of words. 90
Copying and Comparing fee 3-1-2

Sheristadar

No 499
Encls: 2 files.

Deputy Commissioner's Office
Tumkúr District
Tumkúr 6th December 1894

To

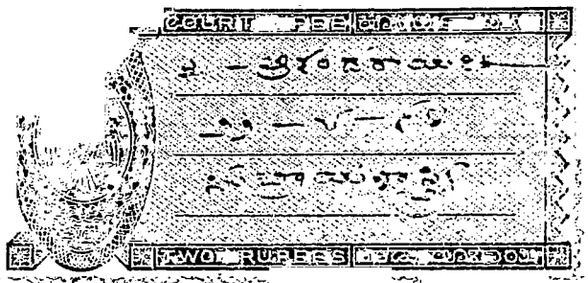
The Chief Secretary to the
Government of Mysore

Sir,

As required in your Official Memorandum No Pat of 859 the 29th November 1894, I have the honor to submit herewith the entire proceedings connected with the claim of Jamanna of Tumkúr to the "Y" arrears of maintenance and to the Inamdarship office of Kirkavadi Madagonahalli, and Sangamdar in the Kunigal Taluk.

2 The enclosures of the official Memorandum under reply are herewith returned.

I have the honor to be
Sir
Your most obedient Servant
[illegible]
Deputy Commissioner



MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 2457/K
DATE 27-8-94

11

In Appeal
Stamp
affixed

Spec!

To

Sir K. Seshadri Iyer K.C.S.I.
Dewan to H. H. the Maharajah
of Mysore

Petitioner - Jannamma Kom Thimmappa
Respondent — Venkatrayachar Gundappa

The petitioner begs to appeal against the order of the Deputy-Commissioner, Tumkur District, dated 5th July 1894 and begs further to state as follows

That the petitioner's husband Thimmappa and one Gundappa were divided Cousins. The Shanbhoga Hak of Kelavadi, Kadgonahally Lakshmipur in Kunigal Taluk belonged to the family of these two

17

two cousins. As the petitioner's husband, Thimmappa, was a Government servant his cousin Gundappa was doing as a Shanbhogue till 1877-78.

That in 1877 78 Gundappa was removed from office for fraudulently enjoying Government lands without paying Kandayam to the Government.

That since then the husband of the petitioner was appointed to the Shanbhogi and he was doing duties till 1880 when he died

That after his death till 1883, Gunnasta, appointed by Janamma and approved by the Amildar, was doing duties as a Shanbhogue

That in 1883 on the recommendation of the Amildar, Gundappa (the father of the Respondent) ~~and~~ who had been dismissed from office, was appointed to Shanbhogi on the clear understanding that during the lifetime

due to the petitioner for the last ten
14 years and to appoint your Honours
petitioner to the office of Shanbhogi
as the Respondent has failed to
abide by the agreement subject to
which he was appointed to Shanbhogi

The petitioner shall ever pray.

27th August 1894
Bangalore

Anandmoorthy
Advocate for the Petitioner

16

10-11-94

17

(6)

Before the Government of *His Highness* the Maharaja of Mysore.

Petn

Appeal No. 645 of 1894-95.

Appellant. Vs. Respondent.

Janamma. Venkatarayi.

by Mr. C. S. Nanda, Pleader.

L. R. 128-94-4

Decision.

On the death of Appellant's husband Linmappa, who was Shanbhog of Kichavadi, Madagonahalli and Lakshmipura, Gundappa, brother of the deceased and father of the Respondent, was on 5th May 1853 appointed to the office, on his undertaking to pay one-half of the emoluments of the office to Appellant. Respondent's liability applying to the Deputy Commr.

Commissione, for the recovery of the amount from the Respondent, who succeeded his father, upon his death, as Chandika, she was referred to a regular suit. Against this order, the present appeal has been preferred.

In the Imchilika executed by Gundappa on 18th April 1883, he had clearly stated that he would pay a share of the emoluments of the office to Appellant and that, in default, he might be removed from the office; the office was bestowed on Gundappa on the express understanding that he would provide for the maintenance of the Appellant. In fact in the order appointing Gundappa

19

Grand office it was made
a condition, the performance
of which alone entitled
him to continue in the
office. Respondent cannot
therefore be exonerated from
liability to maintain the
Appellant. Taking into
consideration the fact, that
the Respondent was appointed
on condition of the maintenance
being secured to Appellant,
it is imperative on the
Revenue authorities to see
that the condition is duly
fulfilled and it is inequitable to compel Ap-
pellant to seek redress
in the Civil Courts.

6

In fixing the amount
payable to Appellant the
the long time that has
elapsed

నెం.లు/645

24

(7)

ఇందూరు
16/4/95.

శ్రీ ఎం. దివాకర్ కేబినెట్ సెక్రటరీ

తమకు ఎంప్లాయీస్ ఫెడరేషన్ నుండి ఇంక్రిమెంట్ కోరుతూ —

ప్రొబేషనరీ ఆఫీసర్లు నిజామాబాద్ జిల్లాలో అర్బన్ పోస్టింగ్ కోసం చేసుకున్న దరఖాస్తులు పరిశీలించి, గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడని వారిని ఎంపిక చేయడం జరిగింది. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు.

ముందు పోస్టింగ్ ఇచ్చిన తరువాత ఎంపిక చేయడం జరిగింది. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు. ఈ విధంగా ఎంపిక చేయబడిన ఆఫీసర్లు ఎవరూ కూడా ఇంతవరకు గ్రామీణ ప్రాంతాలలో పనిచేయడానికి ఇష్టపడలేదు.

మూడు పోస్టింగ్ లు వాయిదా వేయడం జరిగింది.
బాకీ 4-4-95 నాటికి ఇవ్వవలసి ఉన్నది.

By Order

Draft 13/4

Offg. Chief Secretary

Kanthi

18/4

elapsed since the date of
Govt. 1st Abandonment
without he receiving any-
thing from him by way of
maintenance, has to be
taken into consideration.
The Patta of the village
not being large, Government
consider it inequitable to
compel Respondent to pay
now the arrears for the past
ten years. Under all the
circumstances of the case
the Government direct that
the Respondent should pay
immediately to Appellant
the arrears due for the last
three years only, the amount
payable being one-half of
the Patta for each of the same
three years, as originally
stipulated by the late
Patta.

24.

91

It is contended by the Respondent that it is part of the Judge's duty to lay an account for him to share and it appears to be that the Respondent's request for a reduction of the maintenance allowance is decreasing of consideration the debit sum is therefore expected to hold an enquiry and after concerning the neighbouring Chancellors connected with parties and the local usage and the actual requirements of the Appellant, determine what would be a reasonable sum that should be paid herewith for the maintenance of the Appellant. The sum so fixed should be caused to be secondary hand to the Appellant

by deduction of the same from
the Policy due to Respondent.

By Order

Re-draft

Offg Chief Secretary

1740
P.F. 82-94 d/ 4.4.95
16

Copy forwarded to the Deputy
Commr, Tumkur with
the Vernacular proceedings —
received vide his R.P.S.S. dated
6th December 894.

By Order

4/4/95

Offg Chief Secretary.

4/4/95

4/4/95

2/4

2/4

No. L.R. 128-94-5 23

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

1st April 1895

Endorsement granted to Janamma of Tumkur,

in reply to his Petition Registered No. 645 dated 27 Dec. 1894 praying against the order of the Dy Comr, ~~Bangalore~~ Tumkur declining to direct Venkat Rao to pay her one-third of the Poligi received by him with arrears for ten years, although the Chandhoji of Kicharadi was concerned with him, in that Oblation.

Petitioner is informed that Venkat Rao has been directed to pay her the arrears due for the last three years and that one-half of the Poligi being too much, the Dy Comr has been requested to fix a reasonable amount for the future and to pay it to her deducting the same from the Poligi due to Venkatraya

The enclosures are returned.

×

4.4.95

Redraft.

"By Order"

4/4/95

Offg. Chief Secretary.

Cd Comp.

M. G. C. P. Bangalore—6-3-94.—2000.